



09-27-04

PATENT  
450100-02165

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Yoshizo MIHARA et al.  
Serial No. : 09/437,016  
For : DATA RECORDING AND/OR REPRODUCING  
APPARATUS  
Filed : November 9, 1999  
Examiner : James A. Fletcher  
Art Unit : 2615

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Sally Ann Homer

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**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND  
INTERFERENCES**

**Mail Stop AF**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from  
the Examiner's Decision, in the Final Office Action dated March 23, 2004, finally rejecting  
claims 1-9.

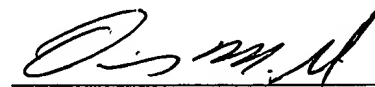
The item(s) checked below are appropriate:

- (1) ☒ This response is being filed within the third month following the expiration of the term originally set therefor. This is a petition to request a 3-month extension of time. A check covering the cost of the petition is enclosed.
- (2) ☒ Notice of Appeal Fee Under 37 C.F.R. §1.17(b): \$330.00  
☒ Enclosed  
☐ Not required (Fee paid in prior appeal)
- (3) ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.
- (4) ☒ An Oral Hearing is requested.

(Two additional copies of the Notice are enclosed herewith).

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:



Dennis M. Smid  
Reg. No. 34,930  
(212) 588-0800